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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[26 May 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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The Illegal Plundering of Western Sahara Resources

1. Western Sahara as a Non-Self-Governing Territory

Since 1979 the territory of Western Sahara has been occupied by the Kingdom of Morocco. Until today the United Nations have not recognized Western Sahara as part of Morocco. In the ceasefire of 1991 the Moroccan state and the Polisario agreed on a referendum in Western Sahara whereby the domestic population should decide about its independence. Due to disagreements between Morocco and the Polisario the referendum has not taken place until today.

With regard to international law, Western Sahara still has the status as a Non-Self-Governing Territory. According to the letter dated 29 January 2002 by the former Under-Secretary-General for Legal Affairs, Hans Corell about the exploration of mineral resources in Western Sahara, the exploitation and plundering of marine and other natural resources is in violation of the relevant United Nations resolutions. The administering powers, in this case the Kingdom of Morocco, are obligated to safeguard the resources until the final determination of the territory is clarified.

There are clear signs that the Kingdom of Morocco does not adhere to this commitment, thus breaking international law. Especially the digging of phosphate, the tapping of the finite water reserves of Western Sahara, the exploitation of the fishing ground on the Atlantic shore and the oil exploration on Western Sahara ground cause concerns about the integrity of the territory. In addition to the exploitation of natural resources, international companies invest, with the permission of the Moroccan government, more and more in alternative energy projects on Western Sahara territory.

2. The Plundering of Western Sahara Resources

2.1. Phosphate Extraction

Western Sahara owns the second largest global reserves of phosphate. Although the digging of phosphate on Western Sahara territory is illegal, Morocco excavates phosphate in the Bou Craa phosphates mines, which belong to the Western Sahara territory. Around ten percent of Moroccan phosphate production derives from this area. From the Cou Craa mines phosphate is transported via a conveyor belt to the El Aaiún harbour, where the it is shipped abroad. Phosphate is probably the most valuable resource on Western Sahara ground and would be an important source of capital of a future independent state.

2.2. Fishery on Western Sahara Shores

Western Sahara has huge fishing resources, maybe even the biggest fish population in the world. Around 78 percent of Moroccan fish come from the Western Sahara territory. 74.000 Moroccans are working in the fishing industry on Western Saharan ground. Morocco does not just use fish for its own market but also sells it to other countries. In some cases the Kingdom sells fishing licences to other states. Morocco made several agreements with other countries and with the European Union about fishing on Moroccan shores, including the shore of Western Sahara. According to Corell, fishing in an area characterized as a Non-Self-Governing Territory is in violation of international law.

2.3. Growing of Vegetables

In recent years, the growing of vegetables on Western Sahara territory has increased. The Moroccan government is planning to raise the production of vegetables as part of the 'Green Morocco Plan' until 2020 with the goal to export most of the vegetables to foreign countries. Since the European Union and the kingdom of Morocco made a free trade agreement about agricultural and fisheries products in 2012, the export of vegetables will increase even further. The growing of vegetables results in a high consumption of water, which is a rare resource in this area. Consequently, farmers have to tap the 300 to 600 meter deep finite water reserves to irrigate the fields.

2.4. Oil Exploration

According to the previously mentioned letter by Hans Corell from 2002, further exploration on Western Sahara ground is in disregard of the interests and wishes of the people of Western Sahara and are therefore in violation of international law. Since 2001 foreign oil companies are searching for oil especially in offshore areas of Morocco and Western Sahara. Today, at least four oil companies ('Total', 'Kosmos Energy', 'Cairn Energy' and 'Island Oil and Gas') are suspected of exploring oil on Western Sahara territory. According to the information given on their website, Cairn Energy does oil exploration in Cap Boujour, which is part of Western Sahara.

3. Demands on the Kingdom of Morocco

Society for Threatened Peoples calls on the Human Rights Council to urge the government of the Kingdom of Morocco to:

- End the plundering of Western Sahara phosphate mines;
- Stop professional fishing on Western Sahara offshore territory. Fishing agreements with other countries and the European Union need to be abandoned;
- End the growing of vegetables on Western Sahara territory and ensure the integrity of the underground water reserves;
- Stop oil explorations on Western Sahara offshore territories.